(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

WRIT PETITION NO. 11 OF 2004

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Shri M. S. Sonak, advocate of the petitioners.

Shri M. B. D'Costa, Senior Advocate with Shri J. A. Lobo, advocate for respondent nos.1 and 2.

CORAM : D. G. KARNIK, J.

DATE : **25th March, 2004**

P.C.:

Heard learned counsel for the parties. By filing a written pursis on 2nd August, 2003, the plaintiffs/petitioners closed their case and thereafter the evidence of the defendant also commenced. As per the provisions of the amended Civil Procedure Code, the defendants filed an affidavit in lieu of Examination-in-Chief. It is thereafter that the petitioners made an application for examining one more witness which has been rejected. I see no error in the

order of the trial Court rejecting the said application as the plaintiffs had already closed their case and the defendants had commenced their evidence

Hence, the Writ Petition is rejected.

D. G. KARNIK, J.

mc.